

# Gregory Zimmer, Esq.

GZimmer@GZimmerLegal.com  
O: (914) 402-5683  
M: (516) 991-1116

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## **VIA ECF**

Honorable Valerie Caproni, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 443  
New York, New York 10007

Re: *In re Navidea Biopharmaceuticals Litigation, Case No. 19-cv-01578-VEC*

Dear Judge Caproni:

I represent Defendant/Counterclaim Plaintiff/Third-Party Plaintiff Dr. Michael M. Goldberg, M.D. in the above-referenced matter. I write jointly on behalf of counsel for all parties pursuant to the Court's Order dated December 19, 2022 referring this case to mediation. I write to inform the Court that the mediation concluded unsuccessfully as of February 27, 2023. The parties are conferring regarding a proposed briefing schedule for summary judgment motions and will submit a proposed schedule no later than Monday, March 6, 2023.

Thank for your attention to this matter.

Respectfully submitted,

/s/ Gregory Zimmer, Esq.

Gregory Zimmer, Esq.  
142 New Chalet Drive  
Mohegan Lake, NY 10547  
(914) 402-5683  
GZimmer@GZimmerLegal.com

cc: Barry Kazan, Esq.  
Karim Sabbidine, Esq.